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Practitioner's Docket No. U 015739-4

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/RU03/00439 10/15/2003 10/24/2002  
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

METHOD FOR PRODUCING A TRANSGENIC PLANT WITH THE AID OF  
AGROBACTERIUM TUMEFACIENS  
TITLE OF INVENTION

Konstantin Aleksandrovich SHESTIBRATOV, et al.  
APPLICANT(S)

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: EO/US

COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE  
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. § 371

*(check and complete the applicable item, if applicable)*

- ☒ This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 (FORM PCT/DO/EO/905).  
☒ A copy of FORM PCT/DO/EO/905 accompanies this response.

CERTIFICATION UNDER 37 C.F.R. 1.10\*  
*(Express Mail label number is mandatory.)*  
*(Express Mail certification is optional.)*

I hereby certify that this Completion of Filing Requirements and the papers indicated as being transmitted therewith are being deposited with the United States Postal Service on this date December 14, 2005, in an envelope as "Express Mail Post Office to Addressee," Mailing Label Number EV4804626US, addressed to the: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Geraldine Marti

*(type or print name of person mailing paper)*

*Geraldine Marti*

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).  
"Since the filing of correspondence, under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

## TOTAL FEE DUE

### VI.

The total fee due is:

Completion fee(s) \$130.00  
Extension fee (if any) \$120.00  
TOTAL FEE DUE \$250.00

## PAYMENT OF FEES

### VII.

- ☒ Enclosed is a check in the amount of \$250.00  
☐ Charge Account No. 12-0425 in the amount of \$ \_\_\_\_\_  
☐ A duplicate of this request is attached.

*NOTE: Fees should be itemized in such a manner that it is clear for which purpose the fees are paid. 37 C.F.R. § 1.22(b).*

## AUTHORIZATION TO CHARGE ADDITIONAL FEES

### VIII.

**WARNING:** *Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.*

**NOTE:** *"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).*

**NOTE:** *"Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).*

- ☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 12-0425

- ☒ 37 C.F.R. § 1.492(a), (b) or (c) (search or exam fee)  
☐ 37 C.F.R. § 1.492(b), (c), and (d) (presentation of extra claims)

**NOTE:** *Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.*

- ☒ 37 C.F.R. 1.16(s) (spec and drawing, each 50 pages over 100)  
☒ 37 C.F.R. § 1.17 (application processing fees)  
☒ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a)).

**NOTE:** Section 1.311(b) provides that an authorization to charge the issue fee (§ 1.18) to a deposit account may be filed in an individual application only after the mailing of the notice of allowance. Accordingly, general authorizations to any fees and specific authorizations to pay the issue fee that are filed prior to the mailing of a notice of allowance will generally not be treated as requesting payment of the issue fee and will not be given effect to act as a reply to the notice of allowance. Applicant, when paying the issue fee, should submit a new authorization to charge fees, such as by completing box 6b on the current PTOL 85-B form. Where no reply to the notice of allowance is received, the application will stand abandoned notwithstanding the presence of general authorizations to pay fees or a specific authorization to pay the issue fee that were submitted prior to mailing of the notice of allowance. Where an attempt is made to pay the issue fee but an incorrect amount is submitted, § 1.311(b)(1), or where the Office's issue fee transmittal form (currently PTOL-85(B)) is completed by applicant and submitted, § 1.311(b)(2), in reply to a notice of allowance, an exception will be made. Such submissions will operate as a request to charge the issue fee to any deposit account identified in a previously filed (i.e., submitted prior to the mailing of the notice of allowance) authorization to charge fees, and will be allowed to act as payment of the correct issue fee. § 1.311(b). See also the change to § 1.26(b), Notice of September 8, 2000. Fed. Reg. 54603-54683, at 54646 and 54647.

[X] 37 C.F.R. § 1.492(e) and/or (f) surcharge fees for filing the declaration and/or an English translation of an international application later than 30 months from the earliest-claimed priority date.

**WARNING:** It would be wise to always check this last authorization.

Refund any overpayment to deposit account 12-0425.

Reg. No.: 33,778

Tel. No.: (212) 708-1935

  
SIGNATURE OF PRACTITIONER

Janet I. Cord

(type or print name of practitioner)

P.O. Address

c/o Ladas & Parry LLP  
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01 FC:1642	400.00 DA
02 FC:1633	200.00 DA
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